

Applicant : Lubomir D. Bourdev et al.  
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method of processing a computer graphics illustration that includes one or more pieces of artwork, the method comprising: mapping outlines of at least one of the pieces of artwork onto a grid of cells; determining the total number of outlines of pieces of artwork that map to a cell of the grid; and identifying the cell as a complex region based on the total number of outlines that map to the cell." The applicant respectfully traverses the rejection of claim 1 because claim 1 includes elements not disclosed by Schiller. For example, claim 1 recites "identifying the cell as a complex region based on the total number of outlines that map to the cell." As can be seen, the applicant's complex cell identification is based on the total number of outlines that map to the cell.

The Examiner asserts that column 6, lines 35-65 of Schiller discloses the "identifying" step of claim 1. The applicant respectfully disagrees. The relevant portion of this text reads: "Each tile has associated with it a complexity value which reflects the memory requirements of those planar map regions that lie within the tile's area. For example, a tile's complexity value could reflect the number of path intersections occurring within its boundary plus the number of local minima and maxima that occur within its boundary. . . . As each path (or pair of paths as described above) is processed at step 715, the complexity value of all those tiles intersected by the path are updated." The cited portion discloses only determining complexity based on the number of path intersections, which, unlike the applicant's claimed method, requires calculating path intersections. There is no mention that complexity can be determined based on the total number of outlines that map to a cell, as recited by the applicant's claim. For at least the above reasons, the applicant respectfully submits that claim 1 and claims 2-6 and 8-14, which depend from claim 1, are in condition for allowance.

Claim 15 also stands rejected under 35 U.S.C. 102(e) as being anticipated by Schiller. Claim 15 recites a computer program product that includes instructions for performing, inter alia, a step analogous to the "identifying" step of claim 1, discussed above. Accordingly, the above discussions made with respect to claim 1 apply to claim 15 with equal force. For at least this reason, the applicant respectfully submits that claim 15 and claims 16-20 and 22-28, which depend from claim 15 are in condition for allowance.

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### 3. Rejections Under Section 103

#### a. Schiller and Carlsen Do Not Render Claims 7 and 21 Obvious

Claims 7 and 21 stand rejected under 35 U.S.C. 103(a) as being obvious in view of Schiller and U.S. Patent No. 6,020,897 to Carlsen et al. ("Carlsen"). Claim 7 depends from claim 1 and incorporates elements of claim 1. In particular, claim 7 incorporates the above cited "identifying" step of claim 1. As discussed, Schiller does not disclose the concept of determining complexity based on the total number of outlines that map to a cell, as recited by the "identifying" step of claim 1. Because Schiller does not disclose this concept, it does not suggest the concept. The Examiner does not contend that Carlsen discloses or suggests this limitation. Accordingly, Schiller and Carlsen, either alone or in combination, do not disclose or suggest at least this limitation of claim 7. For at least this reason, the applicant respectfully submits that claim 7 is in condition for allowance.

Claim 21 also stands rejected under 35 U.S.C. 103(a) as being obvious view of Schiller and Carlsen. Claim 21 depends from claim 15 and incorporates elements of claim 15. In particular, claim 21 incorporates the above described "identifying" instructions of claim 15. As discussed, Schiller does not disclose the concept of determining complexity based on the total number of outlines that map to a cell, as recited by the "identifying" instructions of claim 15. Because Schiller does not disclose this concept, it does not suggest the concept. The Examiner does not contend that Carlsen discloses or suggests this limitation. Accordingly, Schiller and Carlsen, either alone or in combination, do not disclose or suggest at least this limitation of claim 15. For at least this reason, the applicant respectfully submits that claim 21 is in condition for allowance.

#### b. Schiller is not Prior Art Under Section 103(c) Because of Common Ownership

The applicant respectfully submits that Schiller is not prior art under section 103(c). 35 U.S.C. 103(c) provides that subject matter developed by another person, which qualifies as prior art only under one or more of subsections (e), (f), and (g) of section 102, shall not preclude patentability under section 103 where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of

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assignment to the same person. Here, the present application, U.S. Application No. 09/447,024, and Schiller, U.S. Patent No. 6,049,339, were, at the time the invention of the present application was made, owned by or subject to an obligation of assignment to Adobe Systems Incorporated. According to M.P.E.P Section 706.02(l)(2), this provides sufficient evidence to disqualify Schiller from being used in a rejection under 35 U.S.C. 103(a) against the claims of the present application. For at least this reason, the applicant respectfully submits that claim 7 is in condition for allowance.


For reasons discussed above, Schiller is also inappropriately cited as 102(e) art in the Examiner's obviousness rejection of claim 21. For at least this reason, the applicant respectfully submits that claim 7 is in condition for allowance.

#### 4. Conclusion

The applicant submits that all claims are in condition for allowance. No fees are believed to be due. Please apply any appropriate charges or credits to deposit account 06-1050.

Respectfully submitted,

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Tim H. Pham  
Reg. No. 48,589

Fish & Richardson P.C.  
500 Arguello Street, Suite 500  
Redwood City, California 94063  
Telephone: (650) 839-5070  
Facsimile: (650) 839-5071

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